

**ENVIRONMENTAL PROTECTION AGENCY
REGION I - BOSTON**

**CLASS. NO. 1200
DELEGATION NO. 9-32**

DELEGATION OF AUTHORITY

DATE: 8/5/2009

SAFE DRINKING WATER ACT

9-32. Administrative Enforcement Authority Under
Part B: Proposed and Final Orders and Agency
Representation in Hearings

1. **PURPOSE AND LEGAL AUTHORITY.**

A. **Purpose.** To redelegate the authorities contained in Delegation 9-32 issued by EPA Headquarters on May 11, 1994.

B. **Authority.** To:

- (1) issue proposed orders requiring compliance;
- (2) provide the primacy State an opportunity to confer;
- (3) conduct and represent the Agency in a public hearing;
- (4) amend or withdraw proposed orders requiring compliance; and,
- (5) issue final orders requiring compliance.

2. **TO WHOM DELEGATED.**

A. The Director, Office of Environmental Stewardship (OES).

B. The functions in 1.B.(1), 1.B.(2), 1.B.(4), and 1.B.(5) are further redelegated by the Director, OES, to the Manager, Technical Enforcement Office, OES.

C. The function in 1.B.(3) is further redelegated by the Director, OES, to Agency attorneys as designated by the Manager, Regulatory Legal Unit, OES, and appropriate OES technical program staff as designated by the Manager, Regulatory Legal Unit, OES, in consultation with the Manager, Water Technical Unit, OES.

3. **REDELEGATION AUTHORITY.**

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A. The functions in 1.B.(1), 1.B.(2), 1.B.(4) and 1.B.(5) may be further redelegated to the Section Chief level or equivalent.

B. The function in 1.B.(3) may not be redelegated further.

4. LIMITATIONS.

A. Delegates of the Regional Administrator may exercise this authority only for those cases initiated by the Region.

B. Prior to exercising this authority, the Manager, Technical Enforcement Office, OES, or his/her designee, shall consult with the Manager, Regulatory Legal Unit, OES, or his/her designee.

C. The Manager, Technical Enforcement Office, OES, or his/her designee, shall consult with Regional Counsel, or his/her designee, on significant counseling issues.

D. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resources Management.

5. ADDITIONAL REFERENCES.

A. See the Chapter 9 Delegations entitled:

(1) "Civil Judicial Enforcement Actions."

(2) "Emergency Administrative Powers."

B. Section 1414(a)(1)(A) and (B), (f), (g)(1) and (g)(2) of the SDWA.

C. Section 1445 of the SDWA.

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ADDITIONAL REFERENCES (CONT'D).

- D. Guidance on Headquarters Involvement in the Issuance by Regions of the First Proposed and Final Administrative Orders.
- E. 40 CFR 142 Subpart J - Procedures for PWS Administration Compliance Orders.
- 6. **SUPERSESSON.** Region I Delegation 9-32, dated November 6, 2000.


Ira W. Leighton
Acting Regional Administrator


Susan Studlien, Director
Office of Environmental Stewardship

8/5/09
Date

7-29-09
Date

a:9-32-2009

